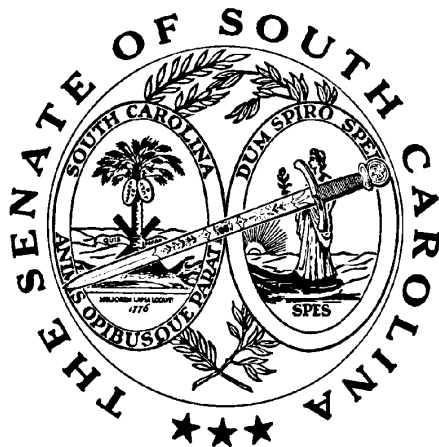


NO. 54

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 11, 2005**

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**WEDNESDAY, APRIL 13, 2005**

**Wednesday, April 13, 2005**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Beloved, hear words from the Covenant God, Yahway-Lord, recorded in the Book of Jeremiah (8:7):

“Yea, the stork in the heaven knoweth her appointed times; and the turtle and the crane and the swallow observe the time of their coming; but my people know not the judgment of the Lord.”

Let us pray.

O Lord, Our Lord, for a new day of privilege, opportunity and service to the people of our State and Nation, we thank You.

Help us to learn from the crane, the turtledove and the swallow who by instinct do Your will. May we who are blest with a free will choose freely to surrender our wills to the will of our Heavenly Father.

As we behold the waterfowl in flight, we pray that...

“He who from zone to zone guides through the boundless sky Thy certain flight,

In the long way that I shall tread alone

Will lead my steps aright.”

Amen!

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Mark C. Sanford:

**Local Appointment**

Reappointment, Charleston Naval Facilities Redevelopment Authority, with term to commence April 24, 2003, and to expire April 24, 2007

Dorchester County:

Ronnie M. Givens, Gamble, Givens, and Moody LLC, 133 East First

**WEDNESDAY, APRIL 13, 2005**

North Street, Summerville, S.C. 29483

**Leave of Absence**

At 2:40 P.M., Senator SCOTT requested a leave of absence upon adjournment today until Monday, April 18, 2005, at 10:00 A.M.

**Motion Adopted**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**RECALLED**

S. 573 -- Senators McConnell, Verdin, Rankin and Courson: A BILL TO AMEND SECTION 1-3-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFICERS WHO MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 15-78-60, RELATING TO GOVERNMENTAL IMMUNITY, SO AS TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY IS NOT LIABLE FOR CERTAIN LOSSES RESULTING FROM CONDUCT OF A DIRECTOR OF THE AUTHORITY; TO AMEND SECTION 15-78-70, RELATING TO THE LIABILITY OF A GOVERNMENTAL EMPLOYEE, SO AS TO PROVIDE THAT A DIRECTOR OF THE PUBLIC SERVICE AUTHORITY IS NOT IMMUNE FROM LIABILITY FOR CERTAIN CONDUCT AND TO PROVIDE THAT THE INSURANCE RESERVE FUND IS PROHIBITED FROM PROVIDING INSURANCE COVERAGE FOR THAT INDIVIDUAL LIABILITY; TO AMEND SECTION 58-3-530, RELATING TO THE DUTIES AND FUNCTIONS OF THE STATE REGULATIONS OF PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO ADD THE DUTY TO SCREEN CANDIDATES FOR THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-31-20, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO SET FORTH QUALIFICATIONS AND REQUIREMENTS FOR DIRECTORS AND TO PROVIDE FOR THE SCREENING OF DIRECTORS; TO AMEND SECTION 58-31-30, AS AMENDED, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROHIBIT THE AUTHORITY FROM DISPOSING OF CERTAIN PROPERTY WITHOUT PRIOR APPROVAL OF THE GENERAL ASSEMBLY OR FROM INQUIRING INTO THE FEASIBILITY OF

**WEDNESDAY, APRIL 13, 2005**

DISPOSING OF ITS PROPERTY; BY ADDING SECTION 58-31-55 SO AS TO PROVIDE STANDARDS OF CONDUCT FOR DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-31-56 SO AS TO DEFINE CONFLICT OF INTEREST TRANSACTION; BY ADDING SECTION 58-31-57 SO AS TO PERMIT CUSTOMERS OF THE PUBLIC SERVICE AUTHORITY TO SUE DIRECTORS OF THE AUTHORITY FOR BREACH OF DUTY AND TO PROVIDE DAMAGES; AND TO AMEND SECTION 58-31-110, RELATING TO THE TRANSFER OF NET EARNINGS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROVIDE THAT ONLY THE NET EARNINGS NOT NECESSARY FOR THE OPERATION OF AND IN THE BEST INTEREST OF THE PUBLIC SERVICE AUTHORITY SHALL BE PAID TO THE STATE TREASURER AND USED TO REDUCE THE TAX BURDENS ON THE PEOPLE OF THE STATE.

Senator McCONNELL moved to recall the Bill from the Committee on Judiciary.

There was no objection and the Bill was recalled from the Committee on Judiciary.

The Bill was ordered placed on the Calendar for consideration tomorrow.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 744 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE THE EXTRAORDINARY VISION, SACRIFICE, AND PATRIOTIC COMMUNITY SPIRIT OF THE SOUTH CAROLINA AIR NATIONAL GUARD, COLONEL JIM C. CHOW, AND SOUTH CAROLINA NEUROSURGEONS, DR. THOMAS J. HOLBROOK, DR. JOHN STEICHEN, AND DR. THOMAS ANDERSON, WHOSE LEADERSHIP CREATED THE OPPORTUNITY AND CAPABILITY FOR CIVILIAN DOCTORS TO FULFILL THEIR HEARTFELT CALLING TO SERVE THEIR STATE AND NATION DURING A TIME OF WAR.

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The Senate Resolution was adopted.

S. 745 -- Senator Knotts: A CONCURRENT RESOLUTION TO DESIGNATE THE WEEK OF APRIL 10-16, 2005, AS

[SJ]

**WEDNESDAY, APRIL 13, 2005**

"TELECOMMUNICATORS WEEK IN SOUTH CAROLINA" IN CONNECTION WITH NATIONAL TELECOMMUNICATORS WEEK.

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Senator KNOTTS spoke on the Resolution.

The Concurrent Resolution was adopted, ordered sent to the House.

S. 746 -- Senators Matthews and Hutto: A BILL TO ABOLISH THE ORANGEBURG COUNTY BOARD OF VOTER REGISTRATION AND THE ORANGEBURG COUNTY ELECTION COMMISSION AND TO CREATE THE ORANGEBURG COUNTY BOARD OF ELECTION AND REGISTRATION.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

**S. 746-Ordered to a Second and Third Reading**

. On motion of Senator MATTHEWS, with unanimous consent, S. 746 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 747 -- Senator Gregory: A BILL TO AMEND SECTION 12-37-2680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DETERMINATION OF THE ASSESSED VALUE OF A VEHICLE BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT IN DETERMINING THE FAIR MARKET VALUE OF A NEW MOTOR VEHICLE FOR AD VALOREM PROPERTY TAX PURPOSES TO WHICH THE APPLICABLE ASSESSMENT APPLIES, THE COUNTY AUDITOR SHALL USE THE MANUFACTURER'S SUGGESTED RETAIL PRICE OF THE VEHICLE, THE VALUE PUBLISHED IN THE GUIDE OF THE DEPARTMENT OF REVENUE, OR THE ACTUAL PRICE PAID BY THE OWNER BASED ON THE BILL OF SALE, WHICHEVER IS LOWER.

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Read the first time and referred to the Committee on Finance.

S. 748 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-125 SO AS TO PROVIDE CERTAIN REQUIREMENTS THAT A

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PROSPECTIVE TEACHER SHALL FILE WITH THE OFFICE OF TEACHER CERTIFICATION OF THE STATE DEPARTMENT OF EDUCATION BEFORE BECOMING CERTIFIED.

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Read the first time and referred to the Committee on Education.

S. 749 -- Judiciary Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-23-175, SO AS TO PROVIDE THAT AN OUT-OF-COURT STATEMENT MADE BY A CHILD LESS THAN TWELVE YEARS OF AGE DESCRIBING CERTAIN OFFENSES THAT THE CHILD IS A VICTIM OF OR WITNESS TO IS ADMISSIBLE AS EVIDENCE UNDER CERTAIN CIRCUMSTANCES.

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Read the first time and ordered placed on the Calendar without reference.

S. 750 -- Senator Drummond: A CONCURRENT RESOLUTION COMMENDING DR. JOHN L. CARSON FOR HIS EXEMPLARY SERVICE AS THE THIRTEENTH PRESIDENT OF ERSKINE COLLEGE AND SEMINARY DURING THE PAST SEVEN YEARS, AND WISHING HIM AND HIS FAMILY WELL AS HE LEAVES ERSKINE CONTINUING TO FOLLOW GOD'S CALLING.

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The Concurrent Resolution was adopted, ordered sent to the House.

H. 3184 -- Reps. Harrison, G. R. Smith, Whipper, Cato, G. M. Smith and Weeks: A BILL TO AMEND SECTION 1-23-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE AND HEARING IN A CONTESTED CASE, SO AS TO PROVIDE THAT THE STANDARD OF PROOF IS BY A PREPONDERANCE OF THE EVIDENCE; TO AMEND SECTIONS 1-23-380, 1-23-390, 1-23-600, ALL AS AMENDED, AND 1-23-610, ALL RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS, SO AS TO PROVIDE THAT JUDICIAL REVIEW OF AN ADMINISTRATIVE DECISION MUST BE MADE BY AN ADMINISTRATIVE LAW JUDGE, TO PROVIDE THAT DECISION MAY BE APPEALED TO THE SOUTH CAROLINA COURT OF APPEALS, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 1-23-650, AS AMENDED, RELATING TO PROMULGATION OF RULES GOVERNING THE

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OPERATIONS OF THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE RULES OF PROCEDURE FOR THE HEARING OF CONTESTING CASES OR APPEALS BY INDIVIDUAL AGENCIES ARE OF NO FORCE AND EFFECT IN PROCEEDINGS BEFORE AN ADMINISTRATIVE LAW JUDGE; TO AMEND SECTION 14-8-200, AS AMENDED, RELATING TO THE JURISDICTION OF THE COURT OF APPEALS, SO AS TO ADD THAT THE COURT OF APPEALS HAS JURISDICTION OVER ANY CASE IN WHICH AN APPEAL IS TAKEN FROM A FINAL DECISION OF AN AGENCY AND A FINAL DECISION OF AN ADMINISTRATIVE LAW JUDGE; TO AMEND SECTION 8-13-320, RELATING TO AN ORDER OF THE STATE ETHICS COMMISSION, SO AS TO PROVIDE FOR APPEAL FROM A FINAL DECISION OF THE COMMISSION TO THE SOUTH CAROLINA COURT OF APPEALS AS PROVIDED IN THE SOUTH CAROLINA APPELLATE COURT RULES; TO AMEND SECTION 41-35-750, AS AMENDED, RELATING TO A DECISION OF THE EMPLOYMENT SECURITY COMMISSION, SO AS TO PROVIDE FOR APPEAL WITHIN THIRTY DAYS OF A FINAL DECISION BY THE COMMISSION TO THE SOUTH CAROLINA COURT OF APPEALS AS PROVIDED IN THE SOUTH CAROLINA APPELLATE COURT RULES; TO AMEND SECTIONS 58-5-330, 58-5-340, 58-5-990, 58-9-1410, AND 58-27-2310, ALL RELATING TO AN ORDER OR DECISION BY THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE FOR APPEAL FROM A FINAL DECISION OF THE COMMISSION TO THE SOUTH CAROLINA SUPREME COURT OR COURT OF APPEALS AS PROVIDED BY STATUTE OR THE SOUTH CAROLINA APPELLATE COURT RULES; TO AMEND SECTION 1-13-90, RELATING TO AN ORDER OF THE STATE HUMAN AFFAIRS COMMISSION, SECTION 8-17-340, AS AMENDED, RELATING TO A DECISION OF THE STATE EMPLOYEE GRIEVANCE COMMITTEE, SECTION 11-35-4410, AS AMENDED, RELATING TO A DECISION OF THE PROCUREMENT REVIEW PANEL, SECTION 31-21-130, RELATING TO A DECISION OF THE HUMAN AFFAIRS COMMISSION, SECTION 33-56-140, AS AMENDED, RELATING TO THE SECRETARY OF STATE BRINGING AN ACTION TO ENJOIN A CHARITY FROM CONTINUING A VIOLATION OF THE SOLICITATION OF CHARITABLE FUNDS ACT, SECTIONS 35-1-1310, 35-1-1320, AND 35-1-1330, ALL AS AMENDED, ALL

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RELATING TO AN ORDER BY THE SECURITIES COMMISSIONER, SECTION 39-37-100, AS AMENDED, RELATING TO A DECISION OF THE DEPARTMENT OF AGRICULTURE, SECTION 43-25-90, RELATING TO A DECISION OF THE COMMISSION FOR THE BLIND, SECTION 45-9-75, RELATING TO A DETERMINATION BY A PANEL OF THE STATE HUMAN AFFAIRS COMMISSION, SECTION 46-3-220, RELATING TO AN ORDER OR DECISION BY THE COMMISSIONER OF AGRICULTURE, SECTION 46-9-90, AS AMENDED, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE CHAPTER ON THE STATE CROP PEST COMMISSION, SECTION 47-4-130, AS AMENDED, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF TITLE 47 DEALING WITH ANIMALS, LIVESTOCK, AND POULTRY, SECTIONS 47-17-50 AND 47-19-60, BOTH RELATING TO A DETERMINATION BY THE DIRECTOR OF THE LIVESTOCK-POULTRY HEALTH DEPARTMENT OF CLEMSON UNIVERSITY, SECTIONS 48-20-160, 48-20-190, BOTH AS AMENDED, AND 48-20-200, ALL RELATING TO A DECISION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 48-39-150, AS AMENDED, RELATING TO THE APPROVAL OR DENIAL OF A PERMIT BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 54-3-470, RELATING TO AN ORDER OF THE STATE PORTS AUTHORITY, SECTIONS 55-5-230, 55-5-240, 55-5-250, ALL AS AMENDED, AND 55-8-20, ALL RELATING TO AN ORDER OF THE DIVISION OF AERONAUTICS, SECTIONS 59-25-260, 59-25-830, AND 59-40-90, ALL RELATING TO DECISIONS BY THE STATE BOARD OF EDUCATION, SECTION 59-58-120, RELATING TO A DECISION OF THE COMMISSION ON HIGHER EDUCATION, ALL SO AS TO PROVIDE FOR JUDICIAL REVIEW OF THE ADMINISTRATIVE DECISION BY AN ADMINISTRATIVE LAW JUDGE AND THAT DECISION APPEALED TO THE SOUTH CAROLINA COURT OF APPEALS; AND TO REPEAL SECTIONS 58-5-350, 58-5-360, 58-9-1420, 58-9-1440, 58-9-1460, 58-9-1470, 58-9-1480, AND 58-27-2330, ALL RELATING TO JUDICIAL REVIEW OF A DECISION BY THE PUBLIC SERVICE COMMISSION.

Read the first time and referred to the Committee on Judiciary.



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H. 3299 -- Rep. Ceips: A BILL TO AMEND CHAPTER 23, TITLE 57 OF THE 1976 CODE OF LAWS, BY ADDING ARTICLE 4 SO AS TO ESTABLISH THE "OLD SHELDON CHURCH ROAD SCENIC BYWAY".

Read the first time and referred to the Committee on Transportation.

H. 3478 -- Rep. Huggins: A BILL TO AMEND SECTION 40-57-145, AS AMENDED, RELATING TO GROUNDS FOR DENIAL OF LICENSURE OR FOR DISCIPLINARY ACTION AGAINST REAL ESTATE PROFESSIONALS, INCLUDING BROKERS, AGENTS, AND PROPERTY MANAGERS, SO AS TO CLARIFY THAT PAYMENT OF A COMMISSION OR COMPENSATION TO AN UNLICENSED INDIVIDUAL IS PROHIBITED FOR CONDUCTING ACTIVITIES REQUIRING A LICENSE AND TO FURTHER PROVIDE WHEN SUCH PAYMENTS ARE AUTHORIZED.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3891 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 2946, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 3892 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EDUCATION, RELATING TO UTILIZATION OF GENERIC TEACHER CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 2964, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 3893 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EDUCATION, RELATING TO ASSISTING, DEVELOPING, AND EVALUATING PROFESSIONAL TEACHING (ADEPT), DESIGNATED AS REGULATION DOCUMENT NUMBER 2941,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 3894 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 2948, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 3895 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF PUBLIC SAFETY, RELATING TO MOTORIST INSURANCE IDENTIFICATION DATABASE REGULATIONS (REPEAL), DESIGNATED AS REGULATION DOCUMENT NUMBER 2955, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Transportation.

H. 3898 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EDUCATION, RELATING TO ADMINISTRATIVE AND PROFESSIONAL PERSONNEL QUALIFICATIONS, DUTIES AND WORKLOADS, DESIGNATED AS REGULATION DOCUMENT NUMBER 2940, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 3903 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION RECOGNIZE CHRONIC KIDNEY DISEASE AS A HEALTH DISPARITY IN SOUTH CAROLINA AND URGE ALL LICENSED HEALTH CARE PROVIDERS TO DEVELOP A PLAN FOR EARLY IDENTIFICATION AND IMPLEMENTATION OF AN APPROPRIATE CLINICAL MANAGEMENT PROGRAM FOR INDIVIDUALS AT HIGHEST RISK FOR CHRONIC KIDNEY DISEASE.

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

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H. 3913 -- Reps. Scott, Agnew, Allen, Altman, Anderson, Anthony, Bailey, Bales, Ballentine, Barfield, Battle, Bingham, Bowers, Brady, Branham, Breeland, G. Brown, J. Brown, R. Brown, Cato, Ceips, Chalk, Chellis, Clark, Clemmons, Clyburn, Coates, Cobb-Hunter, Coleman, Cooper, Cotty, Dantzler, Davenport, Delleney, Duncan, Edge, Emory, Frye, Funderburk, Govan, Hagood, Haley, Hamilton, Hardwick, Harrell, Harrison, Harvin, Haskins, Hayes, Herbkersman, J. Hines, M. Hines, Hinson, Hiott, Hosey, Howard, Huggins, Jefferson, Jennings, Kennedy, Kirsh, Leach, Lee, Limehouse, Littlejohn, Lloyd, Loftis, Lucas, Mack, Mahaffey, Martin, McCraw, McGee, McLeod, Merrill, Miller, Moody-Lawrence, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parks, Perry, Phillips, Pinson, E. H. Pitts, M. A. Pitts, Rhoad, Rice, Rivers, Rutherford, Sandifer, Scarborough, Simrill, Sinclair, Skelton, D. C. Smith, F. N. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, W. D. Smith, Stewart, Talley, Taylor, Thompson, Toole, Townsend, Tripp, Umphlett, Vaughn, Vick, Viers, Walker, Weeks, Whipper, White, Whitmire, Wilkins, Witherspoon and Young: A CONCURRENT RESOLUTION HONORING MRS. GARDENIA B. RUFF OF RICHLAND COUNTY FOR HER LIFETIME OF DEDICATION AND SERVICE TO IMPROVING THE HEALTH OF SOUTH CAROLINA'S MINORITY POPULATION AND STRIVING TO ELIMINATE HEALTHCARE DISPARITIES, RECOGNIZING HER LEADERSHIP IN SPEARHEADING MANY PUBLIC SERVICE AND COMMUNITY IMPACT PROGRAMS, AND WISHING HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

**REPORTS OF STANDING COMMITTEES**

**Invitations Accepted**

Senator ALEXANDER from the Committee on Invitations has polled the following invitations with a favorable report on:

**Poll of the Invitations Committee**

**Polled 11; Ayes 11, Nays 0; Not Voting 0**

**AYES**

Alexander  
Reese

Patterson  
Knotts

McGill  
O'Dell

[SJ]

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Elliott  
Verdin

Ford  
Campsen

Grooms

**Total--11**

**NAYS**

**Total--0**

**Tuesday, April 19, 2005 - Upon Adjournment**

Members of the Senate and Staff, Lunch, State House Grounds, by SC STATE FIREMEN'S ASSOCIATION

**Tuesday, April 19, 2005 - 6:00-8:00 PM**

Members of the Senate, Oyster Roast and Frogmore Stew, Seibels House-1601 Richland Street, by COASTAL CONSERVATION LEAGUE

**Wednesday, April 20, 2005 - 8:00-10:00 AM**

Members of the Senate, Breakfast, 221 Blatt, by SC TOBACCO COLLABORATIVE

**Wednesday, April 20, 2005 - noon-2:00 PM**

Members of the Senate, Lunch-Spartanburg County Day, State House Grounds, by SPARTANBURG CHAMBER OF COMMERCE

**Tuesday, April 26, 2005 - 6:00-7:30 PM**

Members of the Senate and Staff, Banquet, State Fairgrounds- Moore Building, by SC FARM BUREAU

**Wednesday, April 27, 2005 - 8:00-10:00 AM**

Members of the Senate, Breakfast, 221 Blatt, by SC ASSOCIATION OF COMMUNITY DEVELOPMENT CORPORATIONS

**Wednesday, April 27, 2005 - 12:00-2:00 PM**

Members of the Senate and Staff, Lunch - "Taste of South Carolina", State House Grounds, by HOSPITALITY ASSOCIATION OF SOUTH CAROLINA

**Wednesday, April 27, 2005 - 6:30-8:30 PM**

Members of the Senate and Staff, Reception, Summit Club, by SC CHAPTER OF APPRAISAL INSTITUTE

**WEDNESDAY, APRIL 13, 2005**

**Thursday, April 28, 2005 - 8:00-10:00 AM**

Members of the Senate, Breakfast, Town House, by PALMETTO FAMILY COUNCIL

Senator HUTTO from the Committee on Judiciary submitted a favorable with amendment report on:

S. 16 -- Senators Moore, McConnell, Elliott, Hayes, Verdin, Alexander and Fair: A BILL TO AMEND SECTION 16-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VIOLENT CRIMES, SO AS TO INCLUDE THE OFFENSE OF MANUFACTURING METHAMPHETAMINE AS A VIOLENT CRIME; TO AMEND SECTION 44-53-110, RELATING TO THE CONTROLLED SUBSTANCES ACT, SO AS TO AMEND THE DEFINITION OF "PARAPHERNALIA", ADD THE DEFINITIONS OF "COCAINE BASE" AND "METHAMPHETAMINE", AND DELETE THE DEFINITION OF "CRACK COCAINE, ICE, OR CRANK"; TO AMEND SECTION 44-53-365, RELATING TO THEFT OF CONTROLLED SUBSTANCES, SO AS TO INCLUDE THEFT OF PRECURSOR SUBSTANCES; AND TO AMEND SECTION 44-53-375, RELATING TO THE MANUFACTURE OF METHAMPHETAMINE, SO AS TO MAKE POSSESSION OF EQUIPMENT USED IN THE MANUFACTURE OF METHAMPHETAMINE PRIMA FACIE EVIDENCE OF THE INTENT TO MANUFACTURE, AND TO INCLUDE A PUNISHMENT SCHEDULE FOR POSSESSION OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE.

Ordered for consideration tomorrow.

Senator MOORE from the Committee on Judiciary submitted a favorable report on:

S. 75 -- Senators Knotts, Hutto, O'Dell, Alexander and Cromer: A BILL TO AMEND SECTION 42-11-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA WORKERS' COMPENSATION LAW, OCCUPATIONAL DISEASES, AND THE PRESUMPTION THAT HEART OR RESPIRATORY DISEASES OCCURRING IN FIREFIGHTERS AROSE OUT OF AND IN THE COURSE OF THEIR EMPLOYMENT, SO AS TO PROVIDE THAT A CARDIAC-RELATED INCIDENT RESULTING IN IMPAIRMENT OR INJURY TO A LAW ENFORCEMENT OFFICER RESULTING

[SJ]

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IN TOTAL OR PARTIAL DISABILITY, OR DEATH, IS PRESUMED TO HAVE ARISEN OUT OF AND IN THE COURSE OF EMPLOYMENT UNDER CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

Senator GREGORY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 108 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-75-45 SO AS TO CREATE A CAUSE OF ACTION FOR THEFT OF HEALTH CARE SERVICES WHEN A PERSON SECURES PERFORMANCE OF SUCH SERVICES, HAS RECEIVED INSURANCE PROCEEDS OR THIRD PARTY PAYMENT TO PAY FOR SUCH SERVICES, AND WITHIN NINETY DAYS OF RECEIVING PROPER NOTICE HAS NOT REMITTED THE PAYMENT TO THE HEALTH CARE PROVIDER; TO ESTABLISH NOTICE REQUIREMENTS, A SCHEDULE OF DAMAGES, INCLUDING ACTUAL DAMAGES AND A PERCENTAGE OF THE ACTUAL DAMAGES, AND DEFENSES TO THIS CAUSE OF ACTION.

Ordered for consideration tomorrow.

Senator RITCHIE from the Committee on Judiciary submitted a favorable with amendment report on:

S. 139 -- Senators Hayes and Richardson: A BILL TO ENACT THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT BY ADDING ARTICLE 35 TO CHAPTER 7, TITLE 20 OF THE 1976 CODE, TO ADOPT A UNIFORM ACT REVISING PROCEDURES FOR ESTABLISHING AND ENFORCING CHILD CUSTODY AND VISITATION WHEN ONE OF THE PARTIES RESIDES IN THIS STATE AND THE OTHER DOES NOT; AND TO REPEAL SUBARTICLE 2, ARTICLE 9, CHAPTER 7 OF TITLE 20 RELATING TO THE UNIFORM CHILD CUSTODY JURISDICTION ACT.

Ordered for consideration tomorrow.

Senator HAWKINS from the Committee on Judiciary submitted a favorable with amendment report on:

S. 236 -- Senator Ryberg: A BILL TO AMEND SECTION 56-1-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL USE OF A

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DRIVER'S LICENSE OR IDENTIFICATION CARD AND SUBMITTING A FRAUDULENT APPLICATION FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO DISPLAY OR POSSESS A COUNTERFEIT DRIVER'S LICENSE OR IDENTIFICATION CARD; AND TO AMEND SECTION 56-1-515, RELATING TO THE UNLAWFUL ALTERATION, SALE, ISSUANCE, OR USE OF A DRIVER'S LICENSE OR IDENTIFICATION CARD, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO PRODUCE OR POSSESS A COUNTERFEIT DRIVER'S LICENSE OR IDENTIFICATION CARD.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Transportation submitted a favorable report on:

S. 271 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION TO NAME THE BRIDGE THAT CROSSES WADBOO CREEK ALONG SOUTH CAROLINA HIGHWAY 402 IN BERKELEY COUNTY IN HONOR OF JACK B. GRAVES, AND TO INSTALL APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THE WORDS "JACK B. GRAVES BRIDGE."

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 276 -- Senators Hayes and Campsen: A BILL TO AMEND SECTION 7-13-770, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN UNAUTHORIZED PERSON NOT ALLOWED WITHIN GUARD RAIL OF A VOTING BOOTH, SO AS TO AUTHORIZE A DEPENDENT CHILD OF A QUALIFIED ELECTOR TO ACCOMPANY THE QUALIFIED ELECTOR IN THE VOTING BOOTH WHILE HE IS CASTING HIS BALLOT.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 347 -- Senators Lourie, Jackson, Mescher, Ford, Knotts, Cleary, Scott, Short, Patterson, Land, Cromer, Elliott, Ryberg, Grooms and Gregory: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-25-210 SO AS TO

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MAKE IT A CRIME TO DEFACE, VANDALIZE, TAMPER WITH, OR REMOVE A POLITICAL CAMPAIGN SIGN, TO PROVIDE AN EXEMPTION, AND TO PROVIDE A PENALTY FOR VIOLATION.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 370 -- Senator Hawkins: A BILL TO AMEND TITLE 7, CHAPTER 17 OF THE 1976 CODE, RELATING TO CERTIFICATES AND RECORDS OF RESULTS OF ELECTIONS BY ADDING SECTION 7-17-275, TO PROVIDE FOR AN AWARD FOR COSTS AND ATTORNEY FEES ASSOCIATED WITH AN ELECTION PROTEST; AND TO AMEND TITLE 7, CHAPTER 25 RELATED TO OFFENSES AGAINST THE ELECTION LAWS BY ADDING SECTION 7-25-210 TO PROVIDE FOR QUALIFIED CIVIL IMMUNITY FOR POLL WORKERS.

Ordered for consideration tomorrow.

Senator HAWKINS from the Committee on Judiciary submitted a majority favorable with amendment and Senator McCONNELL a minority unfavorable report on:

S. 374 -- Senator Gregory: A BILL TO AMEND SECTION 16-17-504, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IMPLEMENTATION OF LAWS RELATING TO SUPPLYING MINORS WITH TOBACCO, SO AS TO DELETE THE REQUIREMENT THAT LAWS, ORDINANCES, OR RULES PERTAINING TO TOBACCO PRODUCTS MAY NOT SUPERSEDE STATE LAW, TO DELETE THE EXCEPTION PROVIDED FOR PRIVATE PROPERTY, AND TO DELETE THE EXEMPTION FOR SMOKING ORDINANCES IN EFFECT BEFORE THE EFFECTIVE DATE OF THE SECTION.

Ordered for consideration tomorrow.

Senator HAWKINS from the Committee on Judiciary submitted a favorable with amendment report on:

S. 384 -- Senators Lourie, Thomas, Reese, Bryant, Knotts, Sheheen, Hutto, McGill, Jackson, Ford, Scott, Malloy, Land, Gregory, Drummond, Pinckney, Cromer, Short, Matthews, Campsen, Anderson and Hawkins: A BILL TO AMEND SECTION 16-17-500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUPPLYING MINORS WITH TOBACCO OR



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CIGARETTES, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO THE SALE, FURNISHING, GIVING, DISTRIBUTION, AND PROVISION TO A MINOR OF CIGARETTES, TOBACCO, CIGARETTE PAPER, OR A TOBACCO PRODUCT; TO PROVIDE THAT CERTAIN INDIVIDUALS LESS THAN EIGHTEEN YEARS OF AGE MAY NOT PURCHASE, ACCEPT RECEIPT OF, POSSESS, ATTEMPT TO PURCHASE, ATTEMPT TO ACCEPT RECEIPT OF, OR ATTEMPT TO POSSESS A TOBACCO PRODUCT OR TO OFFER FRAUDULENT PROOF OF AGE FOR THE PURPOSE OF PURCHASING OR POSSESSING A TOBACCO PRODUCT; TO REVISE THE DISBURSEMENT OF FINES COLLECTED, SO AS TO DISTRIBUTE ONE-HALF OF THESE FINES TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR ITS YOUTH SMOKING PREVENTION PLAN; TO AUTHORIZE COMMUNITY SERVICE IN LIEU OF FINING A MINOR; AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Transportation submitted a favorable report on:

S. 387 -- Senator Sheheen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 145 FROM THE SOUTH CAROLINA-NORTH CAROLINA BORDER IN CHESTERFIELD COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 1 IN CHESTERFIELD COUNTY THE "CAROLINA SANDHILLS PARKWAY" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THE WORDS "CAROLINA SANDHILLS PARKWAY".

Ordered for consideration tomorrow.

Senator RITCHIE from the Committee on Judiciary submitted a favorable with amendment report on:

S. 417 -- Senator Hayes: A BILL TO AMEND SUBARTICLE 5, ARTICLE 9, CHAPTER 7, TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT, SO AS TO REPLACE THIS ACT WITH THE MOST CURRENT VERSION OF THIS UNIFORM ACT AND

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TO FURTHER PROVIDE FOR UNIFORM LEGISLATION TO ASSIST WITH THE INTERSTATE ENFORCEMENT OF SUPPORT, INCLUDING CIVIL AND CRIMINAL ENFORCEMENT PROCEDURES, AND TO PRESERVE RIGHTS AND DUTIES UNDER THE FORMER UNIFORM INTERSTATE FAMILY SUPPORT ACT.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Transportation submitted a favorable report on:

S. 425 -- Senators Sheheen and Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THOMPSON CREEK ALONG SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHESTERFIELD THE "HOOVER FAY BELL BRIDGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "HOOVER FAY BELL BRIDGE".

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 506 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-11-65 SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO PURCHASE A FIDELITY BOND ON ALL COUNTY OFFICIALS OR A PORTION OF THEM INSTEAD OF THE AMOUNT REQUIRED BY LAW AND REQUIRE A RESOLUTION TO BE ADOPTED BY THE COUNTY GOVERNING BODY WHEN A FIDELITY BOND IS USED TO REPLACE THE EXISTING BOND REQUIRED BY LAW, WHICH MUST MEET OR EXCEED THAT REQUIREMENT.

Ordered for consideration tomorrow.

Senator GREGORY from the Committee on Judiciary submitted a favorable report on:

S. 511 -- Senator Richardson: A BILL TO AMEND SECTION 27-31-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USE OF INSURANCE PROCEEDS TO RECONSTRUCT DAMAGED PROPERTY GOVERNED BY THE HORIZONTAL PROPERTY ACT, SO AS TO PROVIDE FOR

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REPAIR OR RECONSTRUCTION UPON A VOTE OF EIGHTY PERCENT OF THE CO-OWNERS, OR MORE IF REQUIRED BY THE PROPERTY BYLAWS, AND TO PROVIDE, FURTHER, FOR DISTRIBUTION OF INSURANCE PROCEEDS.

Ordered for consideration tomorrow.

Senator MOORE from the Committee on Judiciary submitted a favorable with amendment report on:

S. 557 -- Senator Richardson: A BILL TO AMEND SECTION 42-1-500, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WORKERS' COMPENSATION BENEFITS OF PRISONERS IN THE CUSTODY OF THE COUNTY PENAL SYSTEM, SO AS TO AUTHORIZE A MUNICIPALITY TO COVER PRISONERS WORKING FOR THE MUNICIPALITY.

Ordered for consideration tomorrow.

Senator RITCHIE from the Committee on Judiciary submitted a favorable with amendment report on:

S. 616 -- Senators Knotts, Grooms, Williams, McConnell, Mescher, Matthews, Scott and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-3-155 SO AS TO PROVIDE THAT FOR PURPOSES OF PROVISIONS OF LAW REQUIRING THE CESSATION OF ALIMONY AND SPOUSAL SUPPORT UPON THE REMARRIAGE OF THE SUPPORTED SPOUSE, A REMARRIAGE OF THE SUPPORTED SPOUSE WHICH IS LATER ANNULLED BY A COURT OF COMPETENT JURISDICTION EITHER BEFORE OR AFTER A NINETY DAY PERIOD OF CONTINUED COHABITATION SHALL CAUSE THE CESSATION OF ALIMONY OR SPOUSAL SUPPORT.

Ordered for consideration tomorrow.

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable report on:

S. 707 -- Senator Thomas: A BILL TO AMEND SECTION 37-6-502, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELECTION OF MEMBERS OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE ELECTION OF THE COMMISSIONERS ELECTED BY THE GENERAL ASSEMBLY EVERY FOUR YEARS, BEGINNING FEBRUARY 1, 2006.

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Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3347 -- Reps. Scott, Cato, Tripp, J. Hines, Hosey, M. Hines, Vaughn, Bales, Battle, Branham, Breeland, R. Brown, Davenport, Hamilton, Haskins, Jennings, Leach, Loftis, Miller, Rhoad, Rivers and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-1655 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ADOPT ONE VOTING SYSTEM TO BE USED TO CONDUCT ELECTIONS IN THIS STATE AND DEFINE "VOTING SYSTEM"; TO AMEND SECTION 7-13-1320, RELATING TO THE PROCUREMENT AND USE OF VOTE RECORDERS, SO AS TO AUTHORIZE THE USE OF AN "OPTICAL SCAN VOTING SYSTEM" INSTEAD OF "VOTE RECORDERS" FOR USE IN ABSENTEE PRECINCTS; TO AMEND SECTIONS 7-13-1330 AND 7-13-1620, BOTH AS AMENDED, RELATING TO THE VOTING MACHINE APPROVAL PROCESS, SO AS TO CHANGE REFERENCES TO AN "OPTICAL SCAN VOTING SYSTEM" AND DELETE REFERENCES TO A SYSTEM BEING APPROVED BY AN INDEPENDENT TESTING AUTHORITY AND TO PROVIDE A PROCEDURE FOR REPORTING DECERTIFICATION BY A VENDER WHEN HE HAS COMMITTED ETHICAL OR TECHNICAL VIOLATIONS IN ANOTHER STATE; AND TO REPEAL SECTION 7-13-1310 RELATING TO THE USE OF VOTE RECORDERS, AND SECTION 7-13-1660 RELATING TO THE ACQUISITION AND USE OF APPROVED VOTING MACHINES BY A COUNTY OR MUNICIPALITY.

Ordered for consideration tomorrow.

Senator RYBERG from the Committee on Transportation submitted a favorable report on:

H. 3545 -- Rep. Frye: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES CLOUDS CREEK ALONG HIGHWAY S41-25, SPANN ROAD, IN SALUDA COUNTY "HARE'S MILL POND BRIDGE", AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "HARE'S MILL POND BRIDGE".

Ordered for consideration tomorrow.

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**Message from the House**

Columbia, S.C., April 12, 2005

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

(H3007) -- Reps. Wilkins, W.D. Smith, Harrell, Cato, Chellis, Harrison, Townsend, Witherspoon, G.R. Smith, Vaughn, Sandifer, Coates, Barfield, Young, Kirsh, Leach, E.H. Pitts, Battle, Viers, Clyburn, Littlejohn, Taylor, Rice, Hinson, Clark, Walker, Bales, Simrill, Mahaffey, Toole, Talley, Umphlett, Brady, Bailey, Hagood, Edge, Clemmons, Huggins, Neilson, Vick and Delleney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-515 SO AS TO REDUCE THE SEVEN PERCENT TOP MARGINAL RATE OF SOUTH CAROLINA INDIVIDUAL INCOME TAX IN EQUAL ANNUAL INCREMENTS OF .225 PERCENT UNTIL A PERMANENT TOP MARGINAL RATE EQUAL TO 4.75 PERCENT IS ACHIEVED AND TO PROVIDE THAT A SCHEDULED REDUCTION IS POSTPONED IF GENERAL FUND REVENUE GROWTH FOR THE APPLICABLE FISCAL YEAR IS LESS THAN TWO PERCENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 25, 2005

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

Reappointment, South Carolina State Ethics Commission, with term to commence May 31, 2005, and to expire May 31, 2010

2nd Congressional District:

Edward E. Duryea, John Demosthenes Co., LLC, P. O. Box 5292, Parris Island, S.C. 29905

Very respectfully,

Speaker of the House

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Received as information.

**HOUSE CONCURRENCES**

S. 715 -- Senator Moore: A CONCURRENT RESOLUTION DECLARING WEDNESDAY, MAY 4, 2005, AS JOHN DE LA HOWE SCHOOL DAY IN SOUTH CAROLINA ON THE OCCASION OF THE PREMIER ON THAT DAY OF A SOUTH CAROLINA EDUCATIONAL TELEVISION PRODUCED DOCUMENTARY FILM OUTLINING THE OUTSTANDING WORK ACCOMPLISHED AT THE JOHN DE LA HOWE SCHOOL IN MCCORMICK COUNTY.

Returned with concurrence.

Received as information.

S. 716 -- Senators Leventis and Land: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MR. VICTOR C. JONES, DIRECTOR OF PUBLIC SAFETY FOR SUMTER COUNTY FOR MORE THAN THIRTY-TWO YEARS, FOR A DISTINGUISHED CAREER OF PUBLIC SERVICE, UPON THE OCCASION OF HIS RETIREMENT AND TO EXTEND TO HIM EVERY BEST WISH FOR A HAPPY AND ENJOYABLE RETIREMENT.

Returned with concurrence.

Received as information.

S. 727 -- Senator Sheheen: A CONCURRENT RESOLUTION HONORING THE 1935 CHESTERFIELD COUNTY RUBY HIGH SCHOOL GRADUATING CLASS, AS THEY CELEBRATE THEIR SEVENTIETH HIGH SCHOOL REUNION ON SATURDAY, APRIL 16, 2005.

Returned with concurrence.

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**THIRD READING BILLS**

The following Bills were read the third time and ordered sent to the House of Representatives:

**WEDNESDAY, APRIL 13, 2005**

S. 482 -- Senators Patterson, Lourie, Jackson and Ford: A BILL TO AMEND SECTION 59-149-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIFE SCHOLARSHIPS, SO AS TO REVISE THE INSTITUTIONS WHICH ARE QUALIFIED TO RECEIVE LIFE SCHOLARSHIP FUNDS.

S. 68 -- Senators Short, Mescher, Gregory and Ford: A BILL TO AMEND SECTION 59-149-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR A LIFE SCHOLARSHIP, SO AS TO PROVIDE THE REQUIREMENTS FOR A HOME SCHOOLED STUDENT TO RECEIVE A LIFE SCHOLARSHIP.

**SECOND READING BILL**

The following Joint Resolution, having been read the second time, was ordered placed on the Third Reading Calendar:

S. 738 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO DESIGNATION OF PLANT PEST, DESIGNATED AS REGULATION DOCUMENT NUMBER 2939, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**AMENDED, READ THE SECOND TIME**

S. 414 -- Senators Moore and Setzler: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR LIFE SCHOLARSHIPS, SO AS TO REVISE ELIGIBILITY AND RETENTION REQUIREMENTS FOR THE SCHOLARSHIP BY INCLUDING A REQUIREMENT THAT THE CUMULATIVE GRADE POINT AVERAGE CALCULATION, FOR PURPOSES OF LIFE SCHOLARSHIP ELIGIBILITY, MUST BE INCLUSIVE OF THE STUDENT'S GRADE POINT AVERAGE AT ALL PUBLIC OR INDEPENDENT INSTITUTIONS ATTENDED BY THE STUDENT.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator SETZLER proposed the following amendment (414-SETZLER), which was adopted:

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Amend the Bill, as and if amended, page 1, after line 41 by adding the following paragraph:

/ C. For the 2005-2006 academic year only, eligibility for a LIFE Scholarship is to be based on criteria outlined in previous Regulation by the Commission on Higher Education or the criteria provided for in this act, whichever is more advantageous for the student

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**ADOPTED**

S. 741 -- Senator Ford: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES PLACE ALL PERSONS WHO ARE DETERMINED TO BE SEX OFFENDERS UNDER GLOBAL POSITIONING SYSTEM SATELLITE SURVEILLANCE CONTINUOUSLY FOR THE DURATION OF THEIR PROBATIONARY SENTENCES.

The Concurrent Resolution was adopted, ordered sent to the House.

H. 3861 -- Rep. Huggins: A CONCURRENT RESOLUTION TO DECLARE APRIL 2005 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA AND TO RECOGNIZE AND SUPPORT "FAIR HOUSING MONTH" IN OUR STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

On motion of Senator MARTIN, the Senate agreed to dispense with the Motion Period.



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**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**AMENDED, PASSED BY ‘AYES’ AND ‘NAYS’  
READ THE SECOND TIME**

H. 3133 -- Reps. Delleney, Harrison, Altman, Simrill, Taylor, Vaughn, Davenport, Sandifer, Barfield, Owens, E.H. Pitts, Rice, Clark, Walker, Toole, Viers, M.A. Pitts, Vick, Littlejohn, Coates, Wilkins and Mahaffey: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 15, SO AS TO PROVIDE THAT MARRIAGE IS EXCLUSIVELY DEFINED AS THE UNION BETWEEN ONE MAN AND ONE WOMAN.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

Senator FORD spoke on the Resolution.

**Amendment No. 1**

Senators CAMPSER, HUTTO, HAWKINS, MALLOY and McCONNELL proposed the following Amendment No. 1 (JUD3133.004), which was adopted:

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting therein:

/

**A JOINT RESOLUTION**

TO PROPOSE AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 15, SO AS TO PROVIDE THAT A MARRIAGE OF ONE MAN AND ONE WOMAN IS THE ONLY LAWFUL DOMESTIC UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Article XVII of the Constitution of this State be amended by adding:

“Section 15. A marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized in this State. This State and its political subdivisions shall not create a legal status, right or claim respecting any other domestic union, however

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denominated. This State and its political subdivisions shall not recognize or give effect to a legal status, right or claim created by another jurisdiction respecting any other domestic union, however denominated. Nothing in this section shall impair any right or benefit extended by the State or its political subdivisions other than a right or benefit arising from a domestic union that is not valid or recognized in this State. This section shall not prohibit or limit parties, other than the State or its political subdivisions, from entering into contracts or other legal instruments.

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Article XVII of the Constitution of this State be amended by adding Section 15 so as to provide that in this State and its political subdivisions, a marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized; that this State and its political subdivisions shall not create, recognize or give effect to a legal status, right or claim created by another jurisdiction respecting any other domestic union, however denominated; that this amendment shall not impair any right or benefit extended by the state or its political subdivisions other than a right or benefit arising from a domestic union that is not valid or recognized in this State; and that this amendment shall not prohibit or limit the ability of parties other than the state or its political subdivisions from entering into contracts or other legal instruments?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senator HUTTO spoke on the Resolution.

Senator KNOTTS spoke on the Resolution.

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Senator MARTIN spoke on the Resolution.

Senator HAWKINS spoke on the Resolution.

Senator MALLOY spoke on the Resolution.

Senator McCONNELL spoke on the Resolution.

Senator JACKSON spoke on the Resolution.

**Remarks to be Printed**

On motion of Senators FORD and RITCHIE, with unanimous consent, the remarks of Senators HUTTO, KNOTTS, MARTIN, HAWKINS, MALLOY, McCONNELL and JACKSON, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator McCONNELL moved that the text of the Joint Resolution, as amended, be printed upon the pages of the Journal and that the Joint Resolution be ordered to receive a second reading.

H. 3133 -- Reps. Delleney, Harrison, Altman, Simrill, Taylor, Vaughn, Davenport, Sandifer, Barfield, Owens, E.H. Pitts, Rice, Clark, Walker, Toole, Viers, M.A. Pitts, Vick, Littlejohn, Coates, Wilkins and Mahaffey: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 15, SO AS TO PROVIDE THAT A MARRIAGE OF ONE MAN AND ONE WOMAN IS THE ONLY LAWFUL DOMESTIC UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Article XVII of the Constitution of this State be amended by adding:

“Section 15. A marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized in this State. This State and its political subdivisions shall not create a legal status, right or claim respecting any other domestic union, however denominated. This State and its political subdivisions shall not recognize or give effect to a legal status, right or claim created by another jurisdiction respecting any other domestic union, however denominated. Nothing in this section shall impair any right or benefit extended by the State or its political subdivisions other than a right or benefit arising from a domestic union that is not valid or recognized in

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this State. This section shall not prohibit or limit parties, other than the State or its political subdivisions, from entering into contracts or other legal instruments.

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Article XVII of the Constitution of this State be amended by adding Section 15 so as to provide that in this State and its political subdivisions, a marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized; that this State and its political subdivisions shall not create, recognize or give effect to a legal status, right or claim created by another jurisdiction respecting any other domestic union, however denominated; that this amendment shall not impair any right or benefit extended by the state or its political subdivisions other than a right or benefit arising from a domestic union that is not valid or recognized in this State; and that this amendment shall not prohibit or limit the ability of parties other than the state or its political subdivisions from entering into contracts or other legal instruments?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

--xx--

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 42; Nays 1**

**AYES**

Alexander	Anderson	Bryant
Campsen	Cleary	Courson
Cromer	Drummond *	Elliott
Fair	Gregory	Grooms
Hawkins	Hayes	Hutto
Knotts	Land *	Leatherman *
Leventis	Lourie	Malloy

[SJ]

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Martin	Matthews	McConnell
McGill	Mescher	Moore *
O'Dell	Peeler	Rankin
Reese	Richardson	Ritchie
Ryberg	Scott	Setzler
Sheheen	Short	Smith, J. Verne *
Thomas	Verdin	Williams

**Total--42**

**NAYS**

Ford

**Total--1**

\*These Senators were not present in the Chamber at the time the vote was taken and the votes were recorded by leave of the Senate, with unanimous consent.

The Joint Resolution, as amended, was read the second time, passed and ordered to a third reading.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**FINANCE COMMITTEE AMENDMENT WITHDRAWN**

**READ THE SECOND TIME**

S. 165 -- Senators Elliott, Hayes, Alexander, Fair and Richardson: A BILL TO IMPLEMENT THE TRANSITION FROM THE USE OF MINIBOTTLES TO LIQUOR BY THE DRINK RELATING TO THE TAXATION, DISTRIBUTION, LICENSING OF SALES, PERMITS TO SELL ALCOHOL, TO ESTABLISH PENALTIES FOR A VIOLATION OF THE ACT, TO AMEND DEFINITIONS USED IN THE ALCOHOLIC BEVERAGE CONTROL ACT, AND MISCELLANEOUS OTHER PROVISIONS. (ABBREVIATED TITLE)

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator ELLIOTT explained the Bill.

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**ACTING PRESIDENT PRESIDES**

At 4:00 P.M., Senator MARTIN assumed the Chair.

Senator ELLIOTT resumed explaining the Bill.

Senator RYBERG spoke on the Bill.

**Amendment No. P-1**

Senator J. VERNE SMITH proposed the following Amendment No. P-1 (165R002.JVS), which was tabled:

Amend the committee amendment, as and if amended, Page [165-1] by striking lines 30 through 36 and inserting:

/ “Section 12-33-245. (A) In ~~lieu of~~ addition to taxes imposed under Sections 12-33-230 and 12-33-240, alcoholic liquors ~~sold in minibottles~~ must be taxed at the rate of ~~twenty-five~~ sixty-eight cents ~~for each container per liter~~ in addition to the case tax as prescribed in Article 5 of this chapter and collected as those taxes are collected. ~~Taxes levied in Article 3 of this chapter do not apply.~~” /

Renumber sections to conform.

Amend title to conform.

Senator HAYES spoke on the amendment.

Senator RYBERG moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was the adoption of the amendment proposed by the Committee on Finance.

The Committee on Finance proposed the following amendment (GGS\22052HTC05), which was withdrawn:

Amend the bill, as and if amended, beginning on page 4, by striking Part 1 and inserting:

**/ Part I**

SECTION 1. Section 12-33-245 of the 1976 Code is amended to read:

“Section 12-33-245. (A) In ~~lieu of~~ addition to taxes imposed under Sections 12-33-230 and 12-33-240, alcoholic liquors ~~sold in minibottles~~ must be taxed at the rate of ~~twenty-five~~ fifty-six cents ~~for each container per liter~~ in addition to the case tax as prescribed in Article 5 of this chapter and collected as those taxes are collected.

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Taxes levied in ~~Article 3 of this chapter~~ Section 12-33-425 do not apply.

(B) Eleven percent of the revenue generated by subsection (A) must be placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. On a quarterly basis, the State Treasurer shall allocate this revenue to counties on a per capita basis according to the most recent United States Census. The State Treasurer must notify each county of the allocation pursuant to this subsection in addition to the funds allocated pursuant to Section 6-27-40(B), and the combination of these funds must be used by counties for educational purposes relating to the use of alcoholic liquors and for the rehabilitation of alcoholics and drug addicts. ~~Counties~~ A county may pool these funds with other counties and may combine these funds with other funds for the same purpose.

(C) Those state agencies and local entities, including counties, which by law are allocated and received minibottle tax revenues in fiscal year 2003-04 for education, prevention, and other purposes, shall receive at least the same amount of revenues from the new tax revenues beginning with the first full fiscal year after sales of liquor by the drink are authorized as they did from minibottle tax revenues during fiscal year 2003-04. If these state agencies and local entities do not, the difference must be made up from the general fund within sixty days after the close of each fiscal year.

(D) The tax levied by subsection (A) must be adjusted in the manner and on the schedule that the adjustments for inflation are made pursuant to Section 1(f) of the Internal Revenue Code of 1986, as defined in Section 12-6-40.” /

Renumber sections to conform.

Amend title to conform.

On motion of Senator HAYES, with unanimous consent, the amendment proposed by the Committee on Finance was withdrawn.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**Objection**

Senator ELLIOTT asked unanimous consent to make a motion that the Bill receive a third reading on Thursday, April 14, 2005.

Senator MALLOY objected.

**WEDNESDAY, APRIL 13, 2005**

**THE SENATE PROCEEDED TO A CALL OF THE  
CONTESTED STATEWIDE AND LOCAL CALENDAR.**

**READ THE THIRD TIME, SENT TO THE HOUSE**

S. 13 -- Senators McConnell, Moore, Campsen, Elliott, Ritchie, Verdin, Mescher, Setzler, Bryant, Alexander, Fair, Grooms, Richardson and Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE SOUTH CAROLINA TEACHER PROTECTION ACT OF 2005, BY ADDING SECTION 15-78-210 SO AS TO PROVIDE PROTECTION FROM CIVIL LIABILITY FOR TEACHERS ACTING IN THE SCOPE OF THEIR EMPLOYMENT AND TO PROVIDE AN EXCEPTION TO THIS PROTECTION; BY ADDING SECTION 59-25-900, SO AS TO PROVIDE THAT A PERSON ASSOCIATED WITH A SCHOOL IN AN OFFICIAL CAPACITY WHO IS INJURED TO THE DEGREE THAT THE PERSON IS UNABLE TO RETURN TO HIS FORMER POSITION BY A STUDENT CONVICTED OF A VIOLATION OF THE SOUTH CAROLINA TEACHER PROTECTION ACT THAT CAUSED THE INJURY MUST BE ALLOWED TO CONTINUE IN ALL RETIREMENT, INSURANCE, AND DEFERRED COMPENSATION PROGRAMS IN WHICH THE PERSON WAS ENROLLED AT THE TIME OF THE INJURY WITH THE EMPLOYER REQUIRED TO CONTINUE EMPLOYER CONTRIBUTIONS ON BEHALF OF THE INJURED EMPLOYEE; TO AMEND SECTION 16-3-612, RELATING TO THE OFFENSE OF A STUDENT COMMITTING ASSAULT AND BATTERY AGAINST SCHOOL PERSONNEL, SO AS TO REDEFINE INTO THREE OFFENSES WITH SEPARATE PENALTIES FOR EACH, INCLUDING ESTABLISHING THE MOST SERIOUS OFFENSE AS A FELONY, AND TO AMEND SECTIONS 16-3-1535, 16-3-1545, AND 16-3-1550, RELATING TO THE REQUIREMENTS FOR NOTICE FOR CRIME VICTIMS AND WITNESSES TO CRIMES IN CRIMINAL AND JUVENILE OFFENDER PROCEEDINGS, SO AS TO REQUIRE JUDGES IN THESE PROCEEDINGS TO MAKE A SPECIFIC INQUIRY INTO COMPLIANCE WITH THESE NOTICE REQUIREMENTS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator REESE spoke on the Bill.



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The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**CARRIED OVER**

S. 72 -- Senators Ritchie, Jackson, Ryberg, Mescher, Richardson and Ford: A BILL TO AMEND SECTION 56-1-176, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHOOL ATTENDANCE CONDITIONS ASSOCIATED WITH THE ISSUANCE OF CONDITIONAL AND SPECIAL RESTRICTED DRIVER'S LICENSES, SO AS TO PROVIDE THAT THESE AND ADDITIONAL CONDITIONS SHALL APPLY TO THE ISSUANCE OR REINSTATEMENT OF A BEGINNER'S PERMIT, CONDITIONAL DRIVER'S LICENSE, SPECIAL RESTRICTED DRIVER'S LICENSE, AND A REGULAR DRIVER'S LICENSE ISSUED TO A PERSON LESS THAN SEVENTEEN YEARS OF AGE, TO PROVIDE FOR THE SUSPENSION OF A PERSON'S PERMIT OR LICENSE IF HE FAILS TO COMPLY WITH THESE CONDITIONS, AND TO REQUIRE THAT THE SUSPENSION REMAIN IN EFFECT UNTIL THE PERSON HAS DEMONSTRATED COMPLIANCE WITH THESE CONDITIONS FOR ONE FULL SEMESTER SUBSEQUENT TO THE SEMESTER DURING WHICH HIS PERMIT OR LICENSE WAS SUSPENDED.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator RITCHIE, the Bill was carried over.

**CARRIED OVER**

S. 105 -- Senators Ryberg and Elliott: A BILL TO REPEAL SECTION 56-1-475, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, RELATING TO A PERSON'S AUTHORITY TO OPERATE A MOTOR VEHICLE WHEN HE POSSESSES A VALID OUT-OF-STATE LICENSE ONCE THE PERIOD OF SUSPENSION OF HIS SOUTH CAROLINA DRIVER'S LICENSE HAS EXPIRED.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator RYBERG spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

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**CARRIED OVER**

S. 161 -- Senator Elliott: A BILL TO AMEND SECTION 61-4-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL SALE OF BEER OR WINE TO A MINOR SO AS TO PROVIDE THAT, IN ADDITION TO EXISTING PENALTIES, A PERSON WHO IS CONVICTED OF VIOLATING THIS SECTION FOR A THIRD OR SUBSEQUENT OFFENSE SHALL HAVE HIS DRIVER'S LICENSE SUSPENDED FOR THIRTY DAYS, NO PART OF WHICH MAY BE SUSPENDED BY THE COURT.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator SETZLER, the Bill was carried over.

**CARRIED OVER**

S. 40 -- Senator Richardson: A BILL TO AMEND ARTICLE 5, CHAPTER 5 OF TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAFFIC LAWS, BY ADDING SECTION 56-5-830 SO AS TO AUTHORIZE LOCAL GOVERNMENTS TO ADOPT ORDINANCES FOR THE CIVIL ENFORCEMENT OF CERTAIN TRAFFIC LAWS BY THE USE OF TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS; TO AMEND SECTION 14-25-45, RELATING TO THE JURISDICTION OF SUMMARY COURTS, SO AS TO PROVIDE FOR JURISDICTION OVER NONCRIMINAL CITATIONS ISSUED PURSUANT TO SECTION 56-5-830; AND TO AMEND SECTION 56-5-710, RELATING TO THE POWERS OF LOCAL AUTHORITIES TO ENFORCE TRAFFIC LAWS, SO AS TO ADD THE AUTHORITY TO ADOPT ORDINANCES FOR THE CIVIL ENFORCEMENT OF CERTAIN TRAFFIC LAWS BY THE USE OF TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Transportation.

Senator GROOMS spoke on the Bill.

**Objection**

With Senator GROOMS retaining the floor, Senator PEELER asked unanimous consent to make a motion that the Bill be carried over.

**WEDNESDAY, APRIL 13, 2005**

Senator THOMAS objected.

Senator GROOMS spoke on the Bill.

**Objection**

Senator RICHARDSON asked unanimous consent to make a motion that the Bill be carried over.

Senator MALLOY objected.

Senator GROOMS spoke on the Bill.

Senator GROOMS moved to commit the Bill to the Committee on Judiciary.

**Point of Order**

Senator RICHARDSON raised a Point of Order that the motion to commit was out of order inasmuch as the Committee on Judiciary did not have jurisdiction.

Senator McCONNELL spoke on the Point of Order.

The ACTING PRESIDENT overruled the Point of Order.

On motion of Senator GROOMS, with unanimous consent, the motion to commit was withdrawn.

On motion of Senator RYBERG, with unanimous consent, the Bill was carried over.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Dorchester County Delegation, the following appointment was confirmed in open session:

Reappointment, Charleston Naval Facilities Redevelopment Authority, with term to commence April 24, 2003, and to expire April 24, 2007

Dorchester County:

Ronnie M. Givens, Gamble, Givens, and Moody LLC, 133 East First North Street, Summerville, S.C. 29483

**WEDNESDAY, APRIL 13, 2005**

**EXECUTIVE SESSION**

On motion of Senator McCONNELL, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Committee on Banking and Insurance, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Consumer Affairs, with term to commence August 30, 2001, and to expire August 30, 2005

At-Large:

David Campbell, 1411 Gervais Street, 5th Floor, Columbia, S.C. 29201 *VICE* Waring Simons Howe

Having received a favorable report from the General Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission for the Blind, with term to commence May 19, 2002, and to expire May 19, 2006

1st Congressional District:

Charlene M Grice, M. D., 834 Pitt Street, Mt. Pleasant, S.C. 29464 *VICE* William Parnell Diggs (vacated)

Having received a favorable report from the Committee on Judiciary, the following appointments were confirmed in open session:

Initial Appointment, Board of Trustees of the Children's Trust Fund of South Carolina, with term to commence June 30, 2004, and to expire June 30, 2008

At-Large:

Justin Strickland, 623 Brandon Court, Lexington, S.C. 29072 *VICE* Stephen John Taylor

Reappointment, State Advisory Committee on Educational Requirements for Local Government, with term to commence June 30, 2005, and to expire June 30, 2009

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Municipalities:

Stephen G. Riley, Town of Hilton Head, One Town Center Court,  
Hilton Head, S.C. 29928

Initial Appointment, South Carolina Foster Care Review Board, with  
term to commence June 30, 2002, and to expire June 30, 2006

4th Congressional District:

Dorothy C. Bailey, 306 Raven Road, Greenville, S.C. 29615 *VICE*  
Jane W. Daniel (resigned)

Reappointment, South Carolina State Ethics Commission, with term  
to commence May 31, 2005, and to expire May 31, 2010

2nd Congressional District:

Edward E. Duryea, John Demosthenes Co., LLC, P. O. Box 5292,  
Parris Island, S.C. 29905

Having received a favorable report from the Committee on Medical  
Affairs, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Podiatry  
Examiners, with term to commence November 8, 2004, and to run  
coterminous with the Governor

Podiatrist - At Large:

Stephen V. Corey, D. P. M., 402 Nelson Blvd. Suite 300, Kingstree,  
S.C. 29556 *VICE* Marshall N. Kalinsky

Having received a favorable report from the Committee on  
Transportation, the following appointment was confirmed in open  
session:

Initial Appointment, South Carolina State Ports Authority, with term  
to commence February 13, 2004, and to expire February 13, 2011

At-Large:

Thomas C. Davis, Harvey and Battey, P. A., 1001 Craven St.,  
Beaufort, S.C. 29902 *VICE* Joseph T. Newton, III

**MOTION ADOPTED**

On motion of Senator McGILL, with unanimous consent, the  
Senate stood adjourned out of respect to the memory of Mr. Samuel  
Clinton Tisdale of Kingstree, S.C.

**WEDNESDAY, APRIL 13, 2005**

**ADJOURNMENT**

At 5:12 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

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